



PATENT

**Attorney Docket No.:2081CON2CIPCON(203-2400CON2CIPCON)
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): Buysse et al. Examiner: Roy D. Gibson
Serial No.: 10/736,180 Group: Art Unit 3739
Filed: December 15, 2003 Dated: May 3, 2005
For: BIPOLAR ELECTROSURGICAL INSTRUMENT
FOR SEALING VESSELS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to Applicant(s) duty of disclosure, the information listed in the attached form PTO-1449 is brought to the attention of the Examiner. It is respectfully submitted that copies of the references listed on pages 1 and 2 are not required since this application was filed after June 30, 2003 pursuant to 51 C.F.R. 1.98. Copies of foreign references and publications listed on page 3 of form PTO-1449 are enclosed.

The citation of the listed items is not a representation that they constitute a complete or exhaustive listing of the relevant art or that the references are prior art. The items listed are submitted in good faith, but are not intended to substitute for the Examiner's search. It is hoped, however, that in addition to apprising the Examiner of these particular items, they will assist in identifying fields of search and in making as full and complete a search as possible.

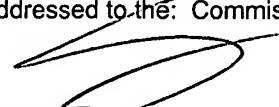
05/06/2005 GWORDDF1 00000004 210550 10736180

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CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postpaid in an envelope, addressed to the: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on May 3, 2005

Dated: May 3, 2005


Edward G. Meagher

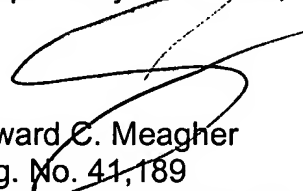
The filing of this information disclosure statement is not an admission that the information cited herein is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

- ☐ This information disclosure statement is being filed within three (3) months of the filing date of this application.
- ☐ This information disclosure statement is being filed within three (3) months of the date of entry of the national stage as set forth in 37 C.F.R. §1.491 in an international application.
- ☐ To the best of Applicant(s) knowledge, this information disclosure statement is being filed before the date of mailing of a first Office Action on the merits in connection with this case.
- ☐ Enclosed herewith is a certificate under 37 C.F.R. §1.97(e)(1).
- ☐ Enclosed herewith is a petition under 37 C.F.R. §1.97(d)(2).
 - ☐ Enclosed by check is the petition fee of \$130.00. (37 C.F.R. §1.17(i)(1))
 - ☐ Please charge the \$130.00 petition fee to Deposit Account No. **21-0550**.
- ☐ Enclosed by check is the \$180.00 fee required by 37 C.F.R. §1.17(p).
- ☒ Please charge the \$180.00 fee required by 37 C.F.R. §1.17(p) to Deposit Account No. **21-0550**.

[X] Please charge any deficiency as well as any other fee(s) which may become due under 37 C.F.R. §1.16 and/or 1.17 at any time during the pendency of this application, or credit any overpayment of such fee(s) to Deposit Account 21-0550. Also, in the event any extensions of time for responding are required for the pending application(s), please treat this paper as a petition to extend the time as required and charge Deposit Account No. 21-0550 therefor.

The claims of the application as now presented are believed to patentably distinguish over the prior art and to be in condition for allowance. Early and favorable consideration of the case is respectfully requested.

Respectfully submitted,



Edward C. Meagher
Reg. No. 41,189
Attorney for Applicant(s)

Carter, DeLuca, Farrell & Schmidt, LLP

445 Broad Hollow Road

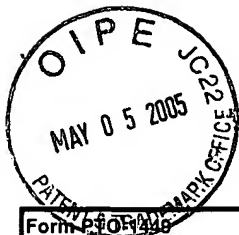
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ECM/gm



without references

Sheet

1 of

3

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|---|--|--|----------------------------------|
| Form PTO-336 | | Docket Number (Optional) 2081CON2CIPCON(203-2400CON2CIPCON) | Application Number 10/736,180 |
| INFORMATION DISCLOSURE CITATION IN AN APPLICATION (Use several sheets if necessary) | | Applicant Buysse et al. | |
| | | Filing Date December 15, 2003 | Group Art Number 3739 |

U.S. PATENT DOCUMENTS

| Examiner Initial | Document Number | Date | Name | Class | Subclass | Filing Date if Appropriate |
|------------------|-----------------|----------|-------------------|-------|----------|----------------------------|
| | 2,031,682 | 2/25/36 | Wappler et al. | | | |
| | 4,452,246 | 6/5/84 | Bader et al. | | | |
| | 4,600,007 | 7/15/86 | Lahodny et al. | | | |
| | 4,985,030 | 1/15/91 | Melzer et al. | | | |
| | 5,147,357 | 9/15/92 | Rose et al. | | | |
| | 5,443,463 | 8/22/95 | Stern et al. | | | |
| | 5,536,251 | 7/16/96 | Evard et al. | | | |
| | 5,573,424 | 11/12/96 | Poppe | | | |
| | 5,582,611 | 12/10/96 | Tsukagoshi et al. | | | |
| | 5,626,609 | 5/6/97 | Zvenyatsky et al. | | | |
| | 5,662,667 | 9/2/97 | Knodel | | | |
| | 5,716,366 | 02/10/98 | Yates | | | |
| | 5,735,848 | 04/07/98 | Yates et al. | | | |
| | 5,766,130 | 06/16/98 | Selmonosky | | | |
| | 5,797,938 | 08/25/98 | Paraschac et al. | | | |
| | 5,820,630 | 10/13/98 | Lind | | | |
| | 5,876,401 | 03/02/99 | Schulze et al. | | | |
| | 5,906,630 | 05/25/99 | Anderhub et al. | | | |
| | 5,944,718 | 08/31/99 | Dafforn et al. | | | |
| | 6,010,516 | 01/04/00 | Hulka et al. | | | |
| | 6,024,741 | 02/15/00 | Willaimson et al. | | | |
| | 6,041,679 | 03/28/00 | Slater et al. | | | |
| | 6,096,037 | 08/01/00 | Mulier et al. | | | |
| | 6,113,596 | 09/05/00 | Hooven et al. | | | |
| | 6,183,467 | 02/06/01 | Shapeton et al. | | | |

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| Examiner | Date Considered |
|----------|-----------------|

Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP §609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.

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U.S. PATENT DOCUMENTS

| Examiner Initial | Document Number | Date | Name | Class | Subclass | Filing Date if Appropriate |
|------------------|-----------------|----------|------------------|-------|----------|----------------------------|
| | 6,270,508 | 08/07/01 | Klieman et al. | | | |
| | 6,280,458 | 08/28/01 | Boche et al. | | | |
| | 6,283,961 | 09/04/01 | Underwood et al. | | | |
| | 6,322,561 | 11/27/01 | Eggers et al. | | | |
| | 6,398,779 | 06/04/02 | Buysse et al. | | | |
| | D457,959 | 5/28/02 | Tetzlaff et al. | | | |
| | D496,997 | 10/05/04 | Dycus et al. | | | |
| | D499,181 | 11/30/04 | Dycus et al. | | | |

U.S. PUBLISHED PATENT APPLICATION DOCUMENTS

| Examiner Initial | Document Number | Publication Date | Name | Class | Subclass | Filing Date if Appropriate |
|------------------|------------------|------------------|------------------|-------|----------|----------------------------|
| | US2003/0069571A1 | 4/10/03 | Treat et al. | | | |
| | US2003/0139742A1 | 7/24/03 | Wampler et al. | | | |
| | US2003/0158549A1 | 8/21/03 | David K. Swanson | | | |
| | US2003/199869A1 | 10/23/03 | Johnson et al. | | | |
| | US2003/0236325A1 | 11/25/04 | Tetzlaff et al. | | | |
| | US2004/0147925A1 | 7/29/04 | Buysse et al. | | | |
| | US2004/0225288A1 | 11/11/04 | Buysse et al. | | | |
| | US2004/0243125A1 | 12/2/04 | Dycus et al. | | | |
| | US2004/0249371A1 | 12/09/04 | Dycus et al. | | | |
| | US2004/0249374A1 | 12/9/04 | Tetzlaff et al. | | | |
| | US2004/0250419A1 | 12/16/04 | Sremcich et al. | | | |
| | US2004/0254573A1 | 12/16/04 | Dycus et al. | | | |
| | US2005/0004568A1 | 1/6/05 | Lawes et al. | | | |
| | US2005/0004570A1 | 1/6/05 | Chapman et al. | | | |
| | US2005/0021025A1 | 01/27/05 | Buysse et al. | | | |
| | US2005/0021026A1 | 01/27/05 | Baily | | | |
| | US2005/0021027A1 | 01/27/05 | Shields et al. | | | |

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| Examiner | Date Considered |
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Form PTO-1449

2081CON2CIPCON(203-2400CON2CIPCON)

Docket Number (Optional)

Application Number

10/736,180

**INFORMATION DISCLOSURE CITATION
IN AN APPLICATION**

Applicant

Buysse et al.

(Use several sheets if necessary)

Filing Date

December 15, 2003

Group Art Number

3739

FOREIGN PATENT DOCUMENTS

| | Document Number | Date | Country | Class | Subclass | Translation | |
|--|-------------------|------------|---------|-------|----------|-------------|----|
| | | | | | | Yes | No |
| | WO 94/08524 A | 4/28/1994 | PCT | | | | |
| | WO 96/13218A1 | 9/5/1996 | PCT | | | | |
| | WO 99/12488 A | 3/18/1999 | PCT | | | | |
| | WO 99/66850 A | 12/29/1999 | PCT | | | | |
| | WO 01/17448 A | 3/15/2001 | PCT | | | | |
| | WO 02/080795 | 10/17/2002 | PCT | | | | |
| | WO 02/080798 | 10/17/2002 | PCT | | | | |
| | WO 02/080799 | 10/17/2002 | PCT | | | | |
| | WO 2004/052221 A1 | 6/24/2004 | PCT | | | | |
| | WO 2004/082495 A1 | 9/30/2004 | PCT | | | | |
| | WO 2004/098383 A1 | 11/18/2004 | PCT | | | | |
| | EP 0624348A2 | 11/17/1994 | EP | | | | |
| | EP 1159926A2 | 12/5/2001 | EP | | | | |
| | DE19751108 | 5/20/1999 | DE | | | | |
| | DE 2415263 | 10/2/1975 | DE | | | | |

OTHER DOCUMENTS

| | | |
|--|----------------|-----------------------------|
| | PCT/US01/11340 | International Search Report |
| | PCT/US01/11420 | International Search Report |
| | PCT/US02/01890 | International Search Report |
| | PCT/US02/11100 | International Search Report |
| | PCT/US04/03436 | International Search Report |
| | PCT/US04/13273 | International Search Report |
| | PCT/US04/15311 | International Search Report |
| | EP 98944778 | International Search Report |
| | EP 98958575 | International Search Report |
| | EP 04027479 | International Search Report |
| | EP 04027705 | International Search Report |
| | EP 04027314 | International Search Report |

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